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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 001096

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DEPT FOR SA/INS, EAP/CM, PRM/ANE; G:KFRIEDRICH, LONDON FOR  
POL/GURNEY; NSC FOR MILLARD; GENEVA FOR PLYNCH; BEIJING  
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TAGS: [PREF](#) [PHUM](#) [PREL](#) [PBTS](#) [PTER](#) [NP](#) [CH](#)

SUBJECT: NEPAL: TIBETAN REFUGEE UPDATE

REF: A. KATHMANDU 350

[1](#)B. KATHMANDU 466

[1](#)C. BEIJING 3561

[1](#)D. MAHONEY-PITOTTI EMAIL 31MAY04 (NOTAL)

Classified By: CDA Janet Bogue for reasons 1.5 (b) and (d).

[1](#)1. (C) SUMMARY: No deportations of Tibetan refugees have been reported since the last refugee update of February 26, 2004 (Ref A). However, refugees who make the dangerous passage continue to face other risks. For example, the reports of abuse of three female refugees in April appear to have led to a police investigation, but its results, if any, remain unclear. UNHCR hopes to add a permanent post near the border crossing at Kodari to intervene sooner in refugee cases, but prospects appear dim. Once in Kathmandu, the refugees find an improved situation. Reduced inflows and speedier processing have reduced the number of refugees at the Tibetan Refugee Reception Center in Kathmandu. The Office of Tibet in Nepal is presently focused on convincing the Government of Nepal to create a registration process for the children of Tibetan refugees who registered before 1989. Meanwhile, a recent border agreement between Nepal and China has frayed nerves in the Tibetan community, but appears to mean no real changes for refugees. END SUMMARY.

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NUMBERS DOWN AT THE TRRC  
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[1](#)2. (U) PolOff visited the Tibetan Refugee Reception Center (TRRC) in Kathmandu on June 9, accompanied by Wanchuck Tsering, the Dalai Lama's representative in Nepal (Office of

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Tibet), and Lhoudup Dorjee, the new Camp Director. (NOTE: Dorjee worked for many years as Wanchuk Tsering's Secretary in the Office of Tibet, speaks English well, and appeared to be attentive to and caring of his charges at the TRRC. END NOTE.) According to Dorjee, the number of refugees at the camp had dropped to about 600, significantly improving conditions at the camp. The camp has a planned maximum capacity of 130-150 people. The past winter's backlog had been caused by a slow pace of interviews at the TRRC, a limited interview capacity at the Indian Embassy and the frequent bandhs (forced closures) called by the Maoists, reducing the days when refugees could be bussed to the Indian Embassy for interviews or to the border for crossing to India.

[1](#)3. (SBU) The recent reduction in numbers was a result of several factors, according to Dorjee. First, the TRRC initially had only one part-time UNHCR staffer conducting interviews. Since the addition of two new UNHCR staff, the rate of interviews completed has increased significantly. Next, both Dorjee and Tsering commended the efforts of the Consular Chief at the Indian Embassy in Kathmandu, a Tibetan speaker, for his efforts to interview a large number of refugees, usually about 17 a day. (NOTE: UNHCR has approached the Indian Embassy here informally to request additional refugee processing staff, and plans to make a formal request in writing soon. END NOTE.) Finally, the largest number of Tibetans attempt crossing into Nepal in the fall, after the glaciers have hardened but before the passes have become snow-bound. When the passes are closed and during hotter months when the glaciers are soft and dangerous, the numbers decline to a trickle. Tsering added that since many Tibetans are afraid of the heat, most will only attempt passage during colder periods. In any case, refugees who had reached the camp in February were starting to make the journey to India, and the camp staff hoped the backlog would be cleared in the next few months.

[1](#)4. (SBU) Considering the overcrowding at the TRRC this past winter, Tsering told PolOff that the Tibet Office had made a request to UNHCR for funds to add an additional floor to the center for increased sleeping capacity, as well as funds to drill a well (the center previously received shared water from a nearby school, but the school's well is insufficient for the increased Tibetan population). Tsering thought that the funds for the well would be approved, but was less optimistic that the extra floor would be approved this cycle.

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CLAIMS OF ABUSE

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15. (SBU) There have been no reported cases of refoulement since the last Tibetan refugee update (Ref A). However, an event that occurred in late April demonstrates the continuing difficulty faced by refugees in their encounters with often insufficiently trained Nepali security authorities. Moreover, such incidents are evidence of the Ministry of Home's continued unwillingness to inform border officials of Nepal's official, albeit unwritten, refugee policy (Ref B).

16. (SBU) According to the Office of Tibet and UNHCR, on April 25, a group of three females (aged 12, 17 and 24) were segregated from a larger group of 47 asylum seekers by five or six policemen in civilian clothes just before reaching Lukla. The females were reportedly assaulted physically and groped sexually. The girls reportedly later identified the policemen to a local Deputy Superintendent of Police, who promised to "take action" against them. According to reports, the girls as well as some of the other asylum seekers were also robbed of money and possessions. The girls and the rest of the asylum seekers eventually made their way to the TRRC in Kathmandu.

17. (C) UNHCR officials told PolOff on June 2 that they had met with Nepali Armed Police Force (APF) Additional Inspector General of Police (AIGP) Rabi Raj Thapa to protest the treatment of the refugees by the police. UNHCR Protection Officer Giulia Ricciarelli (please protect) told PolOff that she found the AIGP to be fairly engaged on the issue. Thapa told her he would investigate the events. He also said that he would appreciate any training that could be given to "his boys" to help them better understand and more appropriately handle refugees. Ricciarelli is planning to adapt UNHCR training materials used in India for use with Nepali security forces.

18. (C) The Embassy also raised the reported mistreatment with AIGP Thapa on June 5. Thapa, who heads APF's human rights cell, emphasized to PolChief that such behavior was unacceptable, inappropriate and a clear violation of Nepal's policy and promised to look into the matter (Ref D).

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UNHCR AT THE BORDER

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19. (C) UNHCR staff confirmed to PolOff on June 2 that UNHCR was waiting for permission from headquarters to open a permanent post near the Kodari border crossing. (NOTE: The Kodari crossing area is a frequently used crossing point by refugees from Tibet. Post has seen it commonly referred to by the name of the nearby town "Tatopani." In fact, there are a number of towns named "Tatopani" in Nepal. END NOTE). However, several factors could complicate such a move. First, approval from UNHCR headquarters was not assured, since questions about ensuring the security of UNHCR staff at a permanent post in the face of the Maoist insurgency would have to be considered. Moreover, even if approval from UNHCR HQ were granted, approval from the Government of Nepal was required. Short of a permanent post, UNHCR Nepal could send their staff on regular missions to the border (something like two weeks near Kodari, a weekend back in Kathmandu, and then back up), but frequent bandhs and security concerns could complicate even a less formal arrangement.

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FOCUS ON PRE-1989 REFUGEES

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10. (C) During a June 9 conversation, Wangchuk Tsering, Director of the Office of Tibet in Nepal, told PolOff that he hoped for Embassy help to resolve problems of documentation of the approximately 4,000 now-adult children of Tibetan refugees who registered in Nepal before 1989. Tsering explained that when the pre-1989 registration had occurred (i.e., refugees were given IDs and allowed to stay in Nepal, but not to work), only adults were included. About 4,000 children of those who were registered in that tranche have become adults, but have no documentation as to their status in Nepal. Tsering lamented that due to the Maoist insurgency and increasing security checks by authorities, these young adults had increasing difficulty moving about Nepal, and faced additional risks for being undocumented. Tsering said he had passed a list of names to UNHCR for transmission to the Government of Nepal, and had raised the issue with the Ministry of Home, but thus far unsuccessfully. The Embassy plans to raise this issue as appropriate with officials at the Ministry of Home and Foreign Affairs.

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NEPAL-CHINA BORDER MOU FRAYS NERVES

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11. (C) A three-day meeting between Nepali and Chinese officials in Kathmandu on May 23-25 resulted in a new Memorandum of Understanding on border issues between the two countries, as well as raised anxieties within the Tibetan community in Nepal. China seeks to monitor and thwart Tibetan refugees. Nepali authorities, on the other hand, are increasingly concerned about illegal trade and insurgency-related supply flows across the border. (NOTE: Some months back, Chinese authorities reportedly captured a "large load" of weapons and supplies close to and on the Chinese side of the border. END NOTE). Although the agreement reportedly includes beefed-up security on the border, Nepali authorities appear to have refused to accede to Chinese requests on the Tibetan issue.

12. (C) Dr. Madan Bhattarai, Ministry of Foreign Affairs Joint Secretary for South Asia, told the DCM on June 7 that the Sino-Nepal meeting was held at a relatively junior level of Home Ministry officials and was not exceptional. This view was echoed to the Charge on June 9 by Foreign Secretary Madan Acharya. Since the first protocol between Nepal and China in 1979 that demarcated the border between the two states, the two sides meet regularly to review and renew the agreement. In any case, Bhattarai told the DCM, the meeting would have no effect on Nepal's "tightrope walk" on the issue of Tibetan refugees. Confirming Bhattarai's view, the Foreign Secretary told the Charge that at this year's meeting, the Chinese had asked that any Tibetans coming over the border be treated by Nepal as illegal immigrants (i.e., as deportable). Nepal had refused, saying that under international humanitarian law, people announcing themselves as refugees had to be treated as such. Further, it would hurt Nepal's image abroad "to turn back a single Tibetan," particularly since this would be a change from past practice. There was apparently even a tussle over the agreed minutes of the meeting, with the Chinese insisting on the phrase "illegal immigrant." Acharya intervened personally, he told the Charge, to persuade the Chinese to back off and leave that phrase out of the document. A week later, the Chinese Political Counselor told the DCM his Embassy had not received a copy of the agreement.

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